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Proposed Counsel for Debtor
Leslie Klein

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

In re

LESLIE KLEIN,

Debtor and Debtor in Possession.

Case No. 2:23-bk-10990-SK

Chapter 11

**DEBTOR'S OPPOSITION TO LIFE
CAPITAL GROUP, LLC'S MOTION
FOR RELIEF FROM THE
AUTOMATIC STAY (ACTION IN
NONBANKRUPTCY FORUM);
DECLARATION OF LESLIE KLEIN
IN SUPPORT THEREOF**

Date: May 17, 2023

Time: 8:30 a.m.

Place: Courtroom 1575
United States Bankruptcy Court
255 East Temple Street
Los Angeles, CA 90012

**TO THE HONORABLE SANDRA R. KLEIN, UNITED STATES
BANKRUPTCY JUDGE; MOVANT LIFE CAPITAL GROUP, LLC; THE OFFICE
OF THE UNITED STATES TRUSTEE; AND OTHER CREDITORS AND
PARTIES IN INTEREST:**

Life Capital Group, LLC's ("Movant") Motion for Relief from Stay (the "Motion") should be denied as Movant has not sustained its burden to establish "cause" for relief from the stay under 11 U.S.C. § 362. The Motion seeks to lift the stay so that Movant may proceed with arbitration against Debtor Leslie Klein ("Debtor") to resolve competing

1 claims in Debtor's 50% ownership interest in Movant. Movant seeks to arbitrate this
2 dispute through the Rabbinical Counsel of California ("RCC"). As Movant points out in its
3 Motion for Relief, the RCC "provides arbitration and mediation services in accordance
4 with "Jewish Law." (See Movant's Motion for Relief, Memorandum of Points and
5 Authorities Page 2, Lines 14-15). Despite Movant's contentions, the RCC is not the
6 appropriate venue for there to be a determination of the Debtor's claim to ownership in the
7 Movant, as the determination of the assets of the Debtor is a core proceeding to be
8 determined by the Bankruptcy Court. Additionally, the RCC's own website indicates that
9 the RCC determines issues based on "Torah Law" and not Bankruptcy law or California
10 state law. A true and correct copy of the RCC's website indicating the RCC applies "Torah
11 Law" is attached to the Declaration of Leslie Klein as Exhibit "2." It is obvious that
12 Jewish Law, Sharia Law, or any other foreign laws, are not laws of the land, and the
13 dispute between the parties should be determined under either Bankruptcy law of
14 California law.

15 Debtor listed his ownership interest in the Movant in his Schedules. If there is a
16 competing interest in an asset of the bankruptcy estate, the party who has as competing
17 interest should file an appropriate Motion or Adversary Proceeding in the Bankruptcy
18 Court, where this Court can use the Bankruptcy Code to make a determination of whether
19 Debtor has an interest in the Movant and whether the funds currently held by Movant are
20 property of the estate. Wherefore, Debtor asks this Court to deny Movant's Motion for
21 Relief and allow the parties to litigate their issues as to the determination of the assets of
22 the Debtor's estate in the Bankruptcy Court.

23 **II. SUMMARY OF CONTESTED ISSUE FOR WHICH MOVANT SEEKS**
24 **RELIEF FROM THE AUTOMATIC STAY**

25 The Debtor filed his Bankruptcy petition on February 22, 2023. Debtor included in
26 his Schedules A/B his ownership interest in Movant. Debtor also listed Gestetner
27 Charitable Remainder Trust ("Gestetner") on his Schedule D. A true and correct copy of
28

Debtor's Schedules A/B and D are attached to the Declaration of Leslie Klein as **Exhibit**
"1." Movant's Motion for Relief states that third party creditor Gestetner asserts a
competing interest in Debtor's ownership interest in the Movant and thus Gestetner and
Movant seek to arbitrate the issue with the Rabbinical Counsel of California ("RCC")
which provides arbitration services to the orthodox Jewish community pursuant to Torah
Law. Given the RCC follows "Torah Law" and not Bankruptcy law or California law, the
RCC is not the appropriate venue for a determination of the Debtor's claim to ownership in
the Movant, as the determination of the assets of the Debtor is a core proceeding to be
determined by the Bankruptcy Court.

Despite the Movant's Operating Agreement indicating that disputes must be
resolved in the RCC, if there is a competing interest in an asset of the bankruptcy estate,
the party who has as competing interest should file an appropriate Motion or Adversary
Proceeding in the Bankruptcy Court, where this Court can use the Bankruptcy Code to
make a determination of whether Debtor has an interest in the Movant and whether the
funds currently held by Movant are property of the estate.

III. LEGAL STANDARD

A creditor may move for relief from automatic stay under 11 U.S.C. § 362(d),
which provides that a bankruptcy court "shall grant relief from the stay" upon a showing of
"cause." *Id.* "Cause" is determined on a case-by-case basis. *Id.*; *In re Tucson*, 912 F.2d
1162, 1166 (9th Cir. 1990). In *Curtis*, a Utah district court identified twelve factors courts
should consider in deciding whether there is "cause" to lift an automatic stay:

- (1) Whether the relief will result in a partial or complete resolution of the
issues;
- (2) The lack of any connection with or interference with the bankruptcy case;
- (3) Whether the foreign proceeding involves the debtor as a fiduciary;

- (4) Whether a specialized tribunal has been established to hear the particular cause of action and whether that tribunal has the expertise to hear such cases;
- (5) Whether the debtor's insurance carrier has assumed full financial responsibility for defending the litigation;
- (6) Whether the action essentially involves third parties, and the debtor functions only as a bailee or conduit for the goods or proceeds in question;
- (7) Whether the litigation in another forum would prejudice the interests of other creditors, the creditor's committee and other interested parties;
- (8) Whether the judgment claim arising from the foreign action is subject to equitable subordination;
- (9) Whether movant's success in the foreign proceeding would result in a judicial lien avoidable by the debtor under Section 522(f);
- (10) The interests of judicial economy and the expeditious and economical determination of litigation for the parties;
- (11) Whether the foreign proceedings have progressed to the point where the parties are prepared for trial, and
- (12) The impact of the stay and the "balance of hurt."

Curtis, 40 B.R. at 799-800; *see also In re Plumberex Specialty Prods., Inc.*, 311 B.R. 551, 559 (Bankr. C.D. Cal. 2004) (adopting *Curtis* factors and recognizing courts in other circuits that have done the same).

The Ninth Circuit has recognized that "the *Curtis* factors are appropriate, nonexclusive, factors to consider in deciding whether to grant relief from the automatic stay to allow pending litigation to continue in another forum." *Kronemyer*, 405 B.R. 915, 921 (9th Cir. BAP 2009). However, while the *Curtis* factors are widely used to determine the existence of "cause," not all of the factors are relevant in every case, nor is a court

1 required to give each factor equal weight. *Plumberex*, 311 B.R. at 560. In fact, some cases
2 regarding automatic stay do not mention *Curtis* at all. See *In re Conejo Enterprises, Inc.*,
3 96 F.3d 346, 353 (9th Cir. 1996) (affirming bankruptcy court's denial of relief from
4 automatic stay without discussing *Curtis* factors. As the *Curtis* court noted, "The most
5 important factor in determining whether to grant relief from the automatic stay to permit
6 litigation against the debtor in another forum is the effect of such litigation on the
7 administration of the estate. Even slight interference with the administration may be
8 enough to preclude relief in the absence of a commensurate benefit." 40 B.R. at 800.
9 In addition, the party seeking to lift the automatic stay has the burden of establishing a
10 prima facie case that "cause" exists for relief under § 362(d)(1). *Id.* If "cause" is
11 established, "the burden shifts to the debtor to show that relief from the stay is
12 unwarranted." *Id.*

13 III. ARGUMENT

14 Here, Movant fails to address the *Curtis* factors, much less make the requisite
15 showing of the cause thereunder.

16 A. Where Applicable, the *Curtis* Factors Do Not Support Relief From Stay

17 i. *Curtis* Factor #1 - Relief Will Not Result in a Complete Resolution of the Issues

18 The main issue in this dispute is whether Debtor's assets include his 50%
19 membership interest in the Movant. 28 U.S.C. § 157 states:

20 (b)(1) Bankruptcy judges may hear and determine all cases under title 11 and all
21 core proceedings arising under title 11, or arising in a case under title 11, referred
22 under subsection (a) of this section, and may enter appropriate orders and
23 judgments, subject to review under section 158 of this title.

24 (2) Core proceedings include, but are not limited to—

25 (A) matters concerning the administration of the estate;

26 (B) allowance or disallowance of claims against the estate or exemptions
27 from property of the estate, and estimation of claims or interests for the
28 purposes of confirming a plan under chapter 11, 12, or 13 of title 11 but not
the liquidation or estimation of contingent or unliquidated personal injury
tort or wrongful death claims against the estate for purposes of distribution in
a case under title 11;

(C) counterclaims by the estate against persons filing claims against the estate;
(D) orders in respect to obtaining credit;
(E) orders to turn over property of the estate;
(F) proceedings to determine, avoid, or recover preferences;
(G) motions to terminate, annul, or modify the automatic stay;
(H) proceedings to determine, avoid, or recover fraudulent conveyances;
(I) determinations as to the dischargeability of particular debts;
(J) objections to discharges;
(K) determinations of the validity, extent, or priority of liens;
(L) confirmations of plans;
(M) orders approving the use or lease of property, including the use of cash collateral;
(N) orders approving the sale of property other than property resulting from claims brought by the estate against persons who have not filed claims against the estate;
(O) other proceedings affecting the liquidation of the assets of the estate or the adjustment of the debtor-creditor or the equity security holder relationship, except personal injury tort or wrongful death claims; and
(P) recognition of foreign proceedings and other matters under chapter 15 of title 11.

(3) The bankruptcy judge shall determine, on the judge's own motion or on timely motion of a party, whether a proceeding is a core proceeding under this subsection or is a proceeding that is otherwise related to a case under title 11. A determination that a proceeding is not a core proceeding shall not be made solely on the basis that its resolution may be affected by State law.

(4) Non-core proceedings under section 157(b)(2)(B) of title 28, United States Code, shall not be subject to the mandatory abstention provisions of section 1334(c)(2).

(28 U.S.C. § 157)

It is clear, in reviewing 28 U.S.C. § 157, that the determination of what is an asset of the Debtor's estate, specifically whether Debtor is entitled to his 50% ownership interest in the Movant is a core proceeding, and thus is subject to a determination in the Bankruptcy court. Therefore, Curtis Factor #1 is in favor of the Debtor and against the Movant.

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ii. Curtis Factor #2 – Substantial Interference with the Bankruptcy Case

Relief from stay would undoubtedly interfere with Debtor's bankruptcy case. The RCC does not recognize state or federal law, and only observes Torah law. The RCC's own website specifically states that its decisions that Bankruptcy Law overrides decisions from the RCC. As such, it is likely that any arbitration decision in the RCC would not effectuate the basic principles of bankruptcy law and could result in a result that would not be in congruence with how the Bankruptcy Court would rule on these issues. Based on the forgoing, Curtis Factor #2 is in favor of the Debtor and against the Movant.

iii. Curtis Factor #3 – The Foreign Proceeding Does Not Involve the Debtor as a Fiduciary

The State Court Action does not involve the Debtor as a fiduciary. Therefore, Curtis Factor #3 is in favor of the Debtor and against the Movant.

iv. Curtis Factor #4 – No Specialized Tribunal is Required To Hear The State Court Action

There is no specialized tribunal established to hear the pending issue between the parties. The issue is whether the Debtor has an interest in the Movant, which is a core proceeding and should be heard in the Bankruptcy Court. Therefore, Curtis Factor #4 is in favor of the Debtor and against the Movant.

v. Curtis Factor #5 – There is No Insurance Carrier Defending Debtor

There is no insurance carrier defending Debtor from Movant's claim. As such, Debtor would be using its own resources to defend itself against Movant should relief from stay be granted. Therefore, Curtis Factor #5 is in favor of the Debtor and against the Movant.

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1 vi. Curtis Factor #6 – Whether the Action Essentially Involves Third Parties, and
2 the Debtor Functions Only As a Bailee or Conduit for the Goods or Proceeds in
3 Question

4 “The purpose of this *Curtis* factor is clearly to identify actions that only
5 superficially involve the debtor and would have little or no effect on the debtor's
6 bankruptcy.” *In re Landmark Fence Co.*, 2011 WL 6826253. This factor does not apply
7 as Debtor was not a bailee or conduit for goods or proceeds in question.

8 vii. Curtis Factor #7 - Whether the litigation in another forum would prejudice the
9 interests of other creditors, the creditor's committee and other interested parties

10 This *Curtis* factor also weighs in favor of the Debtor and against the Movant. The
11 Movant is holding money which belongs to the Debtor. Proceeding in the RCC could have
12 adverse results from how the Bankruptcy Court would rule, resulting in the loss of assets
13 of the estate, which would significantly prejudice the creditors of the estate. Therefore,
14 *Curtis* Factor #7 is in favor of the Debtor and against the Movant.

15 viii. Curtis Factor #8 – Whether the Judgment Claim Arising from the Foreign
16 Action is Subject to Equitable Subordination

17 This factor is not applicable in this case.

18 ix. Curtis Factor #9 – Whether movant's success in the foreign proceeding would
19 result in a judicial lien avoidable by the debtor under Section 522(f)

20 This factor is not applicable in this case.

21 x. Curtis Factor #10 – The Interests of Judicial Economy and the Expeditious and
22 Economical Determination of Litigation for the Parties

23 The issue is whether Debtor's interest in the Movant is an asset of the Bankruptcy
24 estate. It makes no sense to have the RCC that does not follow state, federal or bankruptcy
25 law, to make a determination on this issue, when the Bankruptcy Court is the best place for
26 these issues to be resolved. Thus, it is more efficient not to lift the stay. Therefore, *Curtis*
27 Factor #10 is in favor of the Debtor and against the Movant.

1 debtor's assets for repayment and reorganization of his or her obligations. See *In re*
2 *Fidelity Mortgage Investors*, 550 F.2d 47, 55 (2nd Cir. 1976), cert. denied, 429 U.S. 1093,
3 97 S.Ct. 1107, 51 L.Ed.2d 540 (1977). Under Chapter 11, the stay is also intended to give
4 the debtor time to reorganize his assets in order to rehabilitate his business. Weintraub,
5 Bankruptcy Law Manual ¶ 8.10 at 8-19 (1980). For the foregoing reasons, the Curtis
6 factors weigh in favor of the Debtor and against the Movant. As such, Movant has not
7 sustained its burden to establish “cause” for relief from the stay under 11 U.S.C. § 362.
8 Accordingly, Movant’s Motion for Relief from Stay should be denied.

9 **IV. CONCLUSION**

10 Debtor Leslie Klein respectfully requests that this Court deny Movant Life Capital
11 Group, LLC’s Motion for Relief From the Automatic Stay.

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13 DATED: May 3, 2023

LAW OFFICES OF MICHAEL JAY BERGER

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16 By: 

17 Michael Jay Berger
18 Counsel for Debtor,
19 Leslie Klein
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DECLARATION OF LESLIE KLEIN

I, Leslie Klein, declare and state as follows:

1. I am the Debtor and Debtor-in-Possession (the “Debtor”). I am over the age of 18. I have personal knowledge of the facts I state below, and if I were to be called as a witness, I could and would competently testify about what I have written in this declaration.

2. I filed my Bankruptcy petition on February 22, 2023. I included in my Schedules A/B my ownership interest in Movant. I also listed Gestetner Charitable Remainder Trust (“Gestetner”) on my Schedule D. A true and correct copy of Debtor’s Schedules A/B and D are attached hereto as **Exhibit “1.”**

3. Third party creditor Gestetner asserts a competing interest in Debtor’s ownership interest in the Movant and thus Gestetner and Movant seek to arbitrate the issue with the Rabbinical Counsel of California (“RCC”) which provides arbitration services to the orthodox Jewish community pursuant to “Torah Law.” The RCC’s own website indicates that the RCC determines issues based on “Torah Law” and not Bankruptcy law or California state law. A true and correct copy of the RCC’s website indicating the RCC applies “Torah Law” is attached hereto as **Exhibit “2.”**

4. The main issue in this dispute is whether my assets include my 50% membership interest in the Movant.

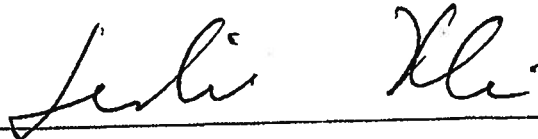
5. The determination of what is an asset of the Debtor’s estate, specifically whether I am entitled to my 50% ownership interest in the Movant is a core proceeding.

6. The Movant is holding money which belongs to my estate. Proceeding in the RCC could have adverse results from how the Bankruptcy Court would rule, resulting in the loss of assets of the estate, which would significantly prejudice the creditors of the estate.

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1 I declare under penalty of perjury under the law of the United States of America
2 that the foregoing is true and correct. Executed on May 3, 2023, in Los Angeles,
3 California.

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5 By: 

6 Leslie Klein
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EXHIBIT 1

Fill in this information to identify your case and this filing:

Debtor 1	Leslie Klein		
	First Name	Middle Name	Last Name
Debtor 2 (Spouse, if filing)			
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the:	CENTRAL DISTRICT OF CALIFORNIA		
Case number	2:23-bk-10990-SK		

☐ Check if this is an amended filing

Official Form 106A/B

Schedule A/B: Property

12/15

In each category, separately list and describe items. List an asset only once. If an asset fits in more than one category, list the asset in the category where you think it fits best. Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Each Residence, Building, Land, or Other Real Estate You Own or Have an Interest In

1. Do you own or have any legal or equitable interest in any residence, building, land, or similar property?

☐ No. Go to Part 2.

☒ Yes. Where is the property?

1.1

322 N. June Street

Street address, if available, or other description

Los Angeles CA 90004-0000

City State ZIP Code

Los Angeles

County

What is the property? Check all that apply

- ☒ Single-family home
- ☐ Duplex or multi-unit building
- ☐ Condominium or cooperative
- ☐ Manufactured or mobile home
- ☐ Land
- ☐ Investment property
- ☐ Timeshare
- ☐ Other

Who has an interest in the property? Check one

- ☐ Debtor 1 only
- ☐ Debtor 2 only
- ☐ Debtor 1 and Debtor 2 only
- ☒ At least one of the debtors and another

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?
\$4,900,000.00

Current value of the portion you own?
\$2,450,000.00

Describe the nature of your ownership interest (such as fee simple, tenancy by the entirety, or a life estate), if known.

50% is held in by Debtor and 50% held by his Erika's irrevocable marital deduction trust

☐ Check if this is community property (see instructions)

Other information you wish to add about this item, such as local property identification number:

Debtor's principal residence; paid in full. The property is held in the marital deduction trust. The Debtor's current spouse, Barbara Klein, has a life estate interest in the residence.

Debtor 1 **Leslie Klein**

Case number (if known) **2:23-bk-10990-SK**

If you own or have more than one, list here:

1.2

315 N. Martel Avenue

Street address, if available, or other description

Los Angeles CA 90036-0000

City State ZIP Code

Los Angeles

County

What is the property? Check all that apply

- ☒ Single-family home
☐ Duplex or multi-unit building
☐ Condominium or cooperative
☐ Manufactured or mobile home
☐ Land
☐ Investment property
☐ Timeshare
☐ Other

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?	Current value of the portion you own?
\$2,500,000.00	\$2,500,000.00

Describe the nature of your ownership interest (such as fee simple, tenancy by the entireties, or a life estate), if known.

100%

Who has an interest in the property? Check one

- ☒ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

☐ Check if this is community property (see instructions)

Other information you wish to add about this item, such as local property identification number:

Single family residence; rental property. Debtor collects \$5,500/month.

If you own or have more than one, list here:

1.3

143 S. Highland Drive

Street address, if available, or other description

Los Angeles CA 90036-0000

City State ZIP Code

Los Angeles

County

What is the property? Check all that apply

- ☒ Single-family home
☐ Duplex or multi-unit building
☐ Condominium or cooperative
☐ Manufactured or mobile home
☐ Land
☐ Investment property
☐ Timeshare
☐ Other

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?	Current value of the portion you own?
\$2,200,000.00	\$2,200,000.00

Describe the nature of your ownership interest (such as fee simple, tenancy by the entireties, or a life estate), if known.

100%

Who has an interest in the property? Check one

- ☒ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

☐ Check if this is community property (see instructions)

Other information you wish to add about this item, such as local property identification number:

Single family residence; rental property. Debtor collects \$4,000 per month in rental income.

Debtor 1 **Leslie Klein**Case number (if known) **2:23-bk-10990-SK****If you own or have more than one, list here:**

1.4

161 N. Poinsettia Place

Street address, if available, or other description

Los Angeles CA 90036-0000

City State ZIP Code

Los Angeles

County

What is the property? Check all that apply

- ☒ Single-family home
☐ Duplex or multi-unit building
☐ Condominium or cooperative
☐ Manufactured or mobile home
☐ Land
☐ Investment property
☐ Timeshare
☐ Other _____

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?

\$2,000,000.00

Current value of the portion you own?

\$2,000,000.00

Describe the nature of your ownership interest (such as fee simple, tenancy by the entireties, or a life estate), if known.

100%**Who has an interest in the property?** Check one

- ☒ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

☐ Check if this is community property (see instructions)

Other information you wish to add about this item, such as local property identification number:

Single family residence; rental property. Debtor collects \$3,000 per month rental income.**If you own or have more than one, list here:**

1.5

2560-B Whitewater Club Drive

Street address, if available, or other description

Palm Springs CA 92262-0000

City State ZIP Code

Riverside

County

What is the property? Check all that apply

- ☐ Single-family home
☐ Duplex or multi-unit building
☒ Condominium or cooperative
☐ Manufactured or mobile home
☐ Land
☐ Investment property
☐ Timeshare
☐ Other _____

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?

\$350,000.00

Current value of the portion you own?

\$350,000.00

Describe the nature of your ownership interest (such as fee simple, tenancy by the entireties, or a life estate), if known.

100%**Who has an interest in the property?** Check one

- ☒ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

☐ Check if this is community property (see instructions)

Other information you wish to add about this item, such as local property identification number:

A condo with 2 bedrooms and 2 bathrooms; vacation home.

Debtor 1 **Leslie Klein**Case number (if known) **2:23-bk-10990-SK****If you own or have more than one, list here:**

1.6

3752 Ocean Drive

Street address, if available, or other description

Oxnard CA 93035-0000

City State ZIP Code

Ventura

County

What is the property? Check all that apply

- ☒ Single-family home
☐ Duplex or multi-unit building
☐ Condominium or cooperative
☐ Manufactured or mobile home
☐ Land
☐ Investment property
☐ Timeshare
☐ Other _____

Who has an interest in the property? Check one

- ☒ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?

\$2,400,000.00

Current value of the portion you own?

\$2,400,000.00

Describe the nature of your ownership interest (such as fee simple, tenancy by the entireties, or a life estate), if known.

100%☐ Check if this is community property (see instructions)

Other information you wish to add about this item, such as local property identification number:

Single family home; vacation home.**If you own or have more than one, list here:**

1.7

Leonardo Plaza Hotel Jerusalem

Street address, if available, or other description

Jerusalem

City State ZIP Code

Israel

County

What is the property? Check all that apply

- ☐ Single-family home
☐ Duplex or multi-unit building
☐ Condominium or cooperative
☐ Manufactured or mobile home
☐ Land
☒ Investment property
☐ Timeshare
☒ Other **Unit in a hotel**

Who has an interest in the property? Check one

- ☒ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?

\$500,000.00

Current value of the portion you own?

\$250,000.00

Describe the nature of your ownership interest (such as fee simple, tenancy by the entireties, or a life estate), if known.

50% by Debtor and 50% by deceased wife's irrevocable trust☐ Check if this is community property (see instructions)

Other information you wish to add about this item, such as local property identification number:

Debtor owns a unit in the Leanoardo Plaza Hotel. Vacation home.

Debtor 1 **Leslie Klein**

Case number (if known) **2:23-bk-10990-SK**

If you own or have more than one, list here:

1.8

Dan Boutique Hotel Jerusalem

Street address, if available, or other description

Jerusalem

City

State

ZIP Code

Israel

County

What is the property? Check all that apply

- ☐ Single-family home
☐ Duplex or multi-unit building
☐ Condominium or cooperative
☐ Manufactured or mobile home
☐ Land
☐ Investment property
☐ Timeshare
☒ Other **Unit in a hotel**

Who has an interest in the property? Check one

- ☒ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?

\$200,000.00

Current value of the portion you own?

\$100,000.00

Describe the nature of your ownership interest (such as fee simple, tenancy by the entireties, or a life estate), if known.

50% by Debtor and 50% by deceased spouse's irrevocable trust

☐ Check if this is community property (see instructions)

Other information you wish to add about this item, such as local property identification number:

Debtor owns a unit in the Leanoardo Plaza Hotel. Vacation home.

2. Add the dollar value of the portion you own for all of your entries from Part 1, including any entries for pages you have attached for Part 1. Write that number here.....=>

\$12,250,000.00

Part 2: Describe Your Vehicles

Do you own, lease, or have legal or equitable interest in any vehicles, whether they are registered or not? Include any vehicles you own that someone else drives. If you lease a vehicle, also report it on *Schedule G: Executory Contracts and Unexpired Leases*.

3. Cars, vans, trucks, tractors, sport utility vehicles, motorcycles

☐ No

☒ Yes

3.1 Make: **Lexus**

Model: **LS500**

Year: **2021**

Approximate mileage: **n/a**

Other information:

Leased vehicle. Monthly payment is \$1,319.00.

Who has an interest in the property? Check one

- ☒ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

☐ Check if this is community property (see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?

\$0.00

Current value of the portion you own?

\$0.00

3.2 Make: **Lexus**

Model: **LS**

Year: **2021**

Approximate mileage: **n/a**

Other information:

Leased vehicle. Debtor's spouses drives this vehicle. Monthly payment is \$500.

Who has an interest in the property? Check one

- ☒ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

☐ Check if this is community property (see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?

\$0.00

Current value of the portion you own?

\$0.00

Debtor 1 **Leslie Klein**

Case number (if known) **2:23-bk-10990-SK**

4. **Watercraft, aircraft, motor homes, ATVs and other recreational vehicles, other vehicles, and accessories**
Examples: Boats, trailers, motors, personal watercraft, fishing vessels, snowmobiles, motorcycle accessories

☒ No
☐ Yes

- 5 Add the dollar value of the portion you own for all of your entries from Part 2, including any entries for pages you have attached for Part 2. Write that number here.....=>

\$0.00

Part 3: Describe Your Personal and Household Items

Do you own or have any legal or equitable interest in any of the following items?

Current value of the portion you own?
Do not deduct secured claims or exemptions.

6. **Household goods and furnishings**
Examples: Major appliances, furniture, linens, china, kitchenware
☐ No
☒ Yes. Describe.....

Debtor's residence: Debtor's residence: Couches, coffee tables, dining room table with chairs, mattresses with bedframes, wall mirrors, desk with chairs, lamps, rugs, dressers, kitchen table, patio furniture, cabinets, refrigerators, and other household goods and furnishings

\$8,000.00

2560-B Whitewater Club Drive, Palm Spring vacation home: living room sofa, table, chairs, dining room table and chairs, TV, phone, kitchen appliances, china, beds and side tables, mirrors, paintings, and miscellaneous household goods and furnishings.

\$5,000.00

3752 Ocean Drive, Oxnard CA vacation home: living room sofa, table, chairs, dining room table and chairs, TV, phone, kitchen appliances, china, beds and side tables, mirrors, paintings, and miscellaneous household goods and furnishings.

\$5,000.00

7. **Electronics**
Examples: Televisions and radios; audio, video, stereo, and digital equipment; computers, printers, scanners; music collections; electronic devices including cell phones, cameras, media players, games
☐ No
☒ Yes. Describe.....

TVs, phones, computers

\$3,000.00

8. **Collectibles of value**
Examples: Antiques and figurines; paintings, prints, or other artwork; books, pictures, or other art objects; stamp, coin, or baseball card collections; other collections, memorabilia, collectibles
☐ No
☒ Yes. Describe.....

Books and art objects

\$4,000.00

9. **Equipment for sports and hobbies**
Examples: Sports, photographic, exercise, and other hobby equipment; bicycles, pool tables, golf clubs, skis; canoes and kayaks; carpentry tools; musical instruments
☐ No
☒ Yes. Describe.....

Debtor 1 **Leslie Klein**

Case number (if known) **2:23-bk-10990-SK**

Sports and Hobby equipment

\$2,000.00

10. Firearms

Examples: Pistols, rifles, shotguns, ammunition, and related equipment

☒ No

☐ Yes. Describe.....

11. Clothes

Examples: Everyday clothes, furs, leather coats, designer wear, shoes, accessories

☐ No

☒ Yes. Describe.....

Debtor's residence: Clothes and shoes

\$2,000.00

12. Jewelry

Examples: Everyday jewelry, costume jewelry, engagement rings, wedding rings, heirloom jewelry, watches, gems, gold, silver

☐ No

☒ Yes. Describe.....

Debtor's residence: Furs, diamond ring, gold necklace, diamond earrings, gold rings and costume jewelry

\$20,000.00

13. Non-farm animals

Examples: Dogs, cats, birds, horses

☒ No

☐ Yes. Describe.....

14. Any other personal and household items you did not already list, including any health aids you did not list

☒ No

☐ Yes. Give specific information.....

15. Add the dollar value of all of your entries from Part 3, including any entries for pages you have attached for Part 3. Write that number here

\$49,000.00

Part 4: Describe Your Financial Assets

Do you own or have any legal or equitable interest in any of the following?

Current value of the portion you own? Do not deduct secured claims or exemptions.

16. Cash

Examples: Money you have in your wallet, in your home, in a safe deposit box, and on hand when you file your petition

☒ No

☐ Yes.....

17. Deposits of money

Examples: Checking, savings, or other financial accounts; certificates of deposit; shares in credit unions, brokerage houses, and other similar institutions. If you have multiple accounts with the same institution, list each.

☐ No

☒ Yes.....

Institution name:

17.1. Checking account ending in 9401

Bank of America

\$4,000.00

Debtor 1 **Leslie Klein**

Case number (if known) **2:23-bk-10990-SK**

18. Bonds, mutual funds, or publicly traded stocks

Examples: Bond funds, investment accounts with brokerage firms, money market accounts

☒ No

☐ Yes.....

Institution or issuer name:

19. Non-publicly traded stock and interests in incorporated and unincorporated businesses, including an interest in an LLC, partnership, and joint venture

☐ No

☒ Yes. Give specific information about them.....

Name of entity:

% of ownership:

Debtor has a 100% ownership interest in Bay Area Development, Co. Bay Area Development, Co. filed a chapter 11 bankruptcy petition on 9/12/2022, Case No.: 2:22-bk-15031-SK. On December 6, 2022, Bay Area entered into a stipulation with its secured creditor Scott Capital Management Fund 1, LLC and OUST to dismiss the case. The order dismissing the case with a 180 day bar (due to pending RFS motion) was entered on 12/6/2022. The real property owned by Bay Area Development, Co. went into foreclosure. The company currently does not own any assets.

100% %

\$0.00

Debtor has a membership interest in Life Capital Group, LLC, which is an investment company. The LLC buys insurance policies on other people's lives and upon passing, the LLC collects the funds and makes a distribution to its members.

5%
membershi
p interest %

Unknown

20. Government and corporate bonds and other negotiable and non-negotiable instruments

Negotiable instruments include personal checks, cashiers' checks, promissory notes, and money orders. Non-negotiable instruments are those you cannot transfer to someone by signing or delivering them.

☒ No

☐ Yes. Give specific information about them

Issuer name:

21. Retirement or pension accounts

Examples: Interests in IRA, ERISA, Keogh, 401(k), 403(b), thrift savings accounts, or other pension or profit-sharing plans

☒ No

☐ Yes. List each account separately.

Type of account:

Institution name:

22. Security deposits and prepayments

Your share of all unused deposits you have made so that you may continue service or use from a company

Examples: Agreements with landlords, prepaid rent, public utilities (electric, gas, water), telecommunications companies, or others

☒ No

☐ Yes.

Institution name or individual:

23. Annuities (A contract for a periodic payment of money to you, either for life or for a number of years)

☒ No

☐ Yes.....

Issuer name and description.

24. Interests in an education IRA, in an account in a qualified ABLE program, or under a qualified state tuition program.

28 U.S.C. §§ 530(b)(1), 529A(b), and 529(b)(1).

☒ No

☐ Yes.....

Institution name and description. Separately file the records of any interests. 11 U.S.C. § 521(c):

25. Trusts, equitable or future interests in property (other than anything listed in line 1), and rights or powers exercisable for your benefit

☐ No

Debtor 1 Leslie KleinCase number (if known) 2:23-bk-10990-SK

- ☒ Yes. Give specific information about them...

Klein Living Trust dated April 8, 1990. The Settlers of the Trust are Leslie Klein and Erika Noemi Klein, husband and wife. Erika Klein passed away several years ago, and pursuant to the trust provision, Erika Klein's interest in the assets is now in an irrevocable trust ("Marital Deduction Trust"). The assets of the trust are listed on Schedule A/B, Item #1 for each property that is part of the Trust.

\$0.00

26. Patents, copyrights, trademarks, trade secrets, and other intellectual property

Examples: Internet domain names, websites, proceeds from royalties and licensing agreements

☒ No

☐ Yes. Give specific information about them...

27. Licenses, franchises, and other general intangibles

Examples: Building permits, exclusive licenses, cooperative association holdings, liquor licenses, professional licenses

☒ No

☐ Yes. Give specific information about them...

Money or property owed to you?

Current value of the portion you own?
Do not deduct secured claims or exemptions.

28. Tax refunds owed to you

☒ No

☐ Yes. Give specific information about them, including whether you already filed the returns and the tax years.....

29. Family support

Examples: Past due or lump sum alimony, spousal support, child support, maintenance, divorce settlement, property settlement

☒ No

☐ Yes. Give specific information.....

30. Other amounts someone owes you

Examples: Unpaid wages, disability insurance payments, disability benefits, sick pay, vacation pay, workers' compensation, Social Security benefits; unpaid loans you made to someone else

☐ No

☒ Yes. Give specific information..

Isaac Kirzner. Debtor entered into an agreement with Isaac Kirzner whereby he paid the insurance premiums for Mr. Kirzner, and upon Mr. Kirzner's passing, the Debtor would receive \$1 Million.

\$1,000,000.00

Judith Bittman. Debtor entered into an agreement with Judith Bittman whereby he paid the insurance premiums for Ms. Bittman and upon Ms. Bittman's passing, the Debtor would receive \$1 Million.

\$1,000,000.00

31. Interests in insurance policies

Examples: Health, disability, or life insurance; health savings account (HSA); credit, homeowner's, or renter's insurance

☒ No

☐ Yes. Name the insurance company of each policy and list its value.

Company name:

Beneficiary:

Surrender or refund value:

Debtor 1 **Leslie Klein**

Case number (if known) **2:23-bk-10990-SK**

32. Any interest in property that is due you from someone who has died
If you are the beneficiary of a living trust, expect proceeds from a life insurance policy, or are currently entitled to receive property because someone has died.

☒ No
☐ Yes. Give specific information..

33. Claims against third parties, whether or not you have filed a lawsuit or made a demand for payment
Examples: Accidents, employment disputes, insurance claims, or rights to sue

☒ No
☐ Yes. Describe each claim.....

34. Other contingent and unliquidated claims of every nature, including counterclaims of the debtor and rights to set off claims

☒ No
☐ Yes. Describe each claim.....

35. Any financial assets you did not already list

☒ No
☐ Yes. Give specific information..

36. Add the dollar value of all of your entries from Part 4, including any entries for pages you have attached for Part 4. Write that number here.....

\$2,004,000.00

Part 5: Describe Any Business-Related Property You Own or Have an Interest In. List any real estate in Part 1.

37. Do you own or have any legal or equitable interest in any business-related property?

☒ No. Go to Part 6.
☐ Yes. Go to line 38.

Part 6: Describe Any Farm- and Commercial Fishing-Related Property You Own or Have an Interest In.
If you own or have an interest in farmland, list it in Part 1.

46. Do you own or have any legal or equitable interest in any farm- or commercial fishing-related property?

☒ No. Go to Part 7.
☐ Yes. Go to line 47.

Part 7: Describe All Property You Own or Have an Interest In That You Did Not List Above

53. Do you have other property of any kind you did not already list?

Examples: Season tickets, country club membership

☒ No
☐ Yes. Give specific information.....

54. Add the dollar value of all of your entries from Part 7. Write that number here

\$0.00

Debtor 1 **Leslie Klein**

Case number (if known) **2:23-bk-10990-SK**

Part 8: List the Totals of Each Part of this Form

55. Part 1: Total real estate, line 2		<u>\$12,250,000.00</u>
56. Part 2: Total vehicles, line 5	<u>\$0.00</u>	
57. Part 3: Total personal and household items, line 15	<u>\$49,000.00</u>	
58. Part 4: Total financial assets, line 36	<u>\$2,004,000.00</u>	
59. Part 5: Total business-related property, line 45	<u>\$0.00</u>	
60. Part 6: Total farm- and fishing-related property, line 52	<u>\$0.00</u>	
61. Part 7: Total other property not listed, line 54	<u>\$0.00</u>	
	+	
62. Total personal property. Add lines 56 through 61...	<u>\$2,053,000.00</u>	Copy personal property total <u>\$2,053,000.00</u>
63. Total of all property on Schedule A/B. Add line 55 + line 62		<div>\$14,303,000.00</div>

Fill in this information to identify your case:

Debtor 1	Leslie Klein		
	First Name	Middle Name	Last Name
Debtor 2 (Spouse if filing)			
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the:	CENTRAL DISTRICT OF CALIFORNIA		
Case number (if known)	2:23-bk-10990-SK		

☐ Check if this is an amended filing

Official Form 106D

Schedule D: Creditors Who Have Claims Secured by Property

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, copy the Additional Page, fill it out, number the entries, and attach it to this form. On the top of any additional pages, write your name and case number (if known).

1. Do any creditors have claims secured by your property?

- ☐ No. Check this box and submit this form to the court with your other schedules. You have nothing else to report on this form.
- ☒ Yes. Fill in all of the information below.

Part 1: List All Secured Claims

2. List all secured claims. If a creditor has more than one secured claim, list the creditor separately for each claim. If more than one creditor has a particular claim, list the other creditors in Part 2. As much as possible, list the claims in alphabetical order according to the creditor's name.

	Column A Amount of claim Do not deduct the value of collateral.	Column B Value of collateral that supports this claim	Column C Unsecured portion if any
2.1 CCO Mortgage Corp. Creditor's Name Attn: Bankruptcy 10561 Telegraph Rd Glen Allen, VA 23059 Number, Street, City, State & Zip Code	\$19,372.00	\$2,400,000.00	\$0.00
Describe the property that secures the claim: 3752 Ocean Drive Oxnard, CA 93035 Ventura County Single family home; vacation home.			
As of the date you file, the claim is: Check all that apply. <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed			
Nature of lien. Check all that apply. <input type="checkbox"/> An agreement you made (such as mortgage or secured car loan) <input type="checkbox"/> Statutory lien (such as tax lien, mechanic's lien) <input type="checkbox"/> Judgment lien from a lawsuit			
<input checked="" type="checkbox"/> Other (including a right to offset) Secured Line of Credit			
Who owes the debt? Check one. <input checked="" type="checkbox"/> Debtor 1 only <input type="checkbox"/> Debtor 2 only <input type="checkbox"/> Debtor 1 and Debtor 2 only <input type="checkbox"/> At least one of the debtors and another <input type="checkbox"/> Check if this claim relates to a community debt			
Opened 05/05 Last Active Date debt was incurred 1/09/23 Last 4 digits of account number 1428			

Debtor 1 Leslie Klein		Case number (if known) 2:23-bk-10990-SK	
First Name	Middle Name	Last Name	
2.2 Chase Mortgage		Describe the property that secures the claim: \$138,719.00 \$350,000.00 \$0.00	
Creditor's Name			
BK Department			
Mail Code LA4 5555 700			
Kansas Ln			
Monroe, LA 71203			
Number, Street, City, State & Zip Code			
Who owes the debt? Check one.		As of the date you file, the claim is: Check all that apply.	
<input checked="" type="checkbox"/> Debtor 1 only		<input type="checkbox"/> Contingent	
<input type="checkbox"/> Debtor 2 only		<input type="checkbox"/> Unliquidated	
<input type="checkbox"/> Debtor 1 and Debtor 2 only		<input type="checkbox"/> Disputed	
<input type="checkbox"/> At least one of the debtors and another		Nature of lien. Check all that apply.	
<input type="checkbox"/> Check if this claim relates to a community debt		<input type="checkbox"/> An agreement you made (such as mortgage or secured car loan)	
		<input type="checkbox"/> Statutory lien (such as tax lien, mechanic's lien)	
		<input type="checkbox"/> Judgment lien from a lawsuit	
		<input checked="" type="checkbox"/> Other (including a right to offset) Deed of Trust	
Opened 07/05 Last Active			
Date debt was incurred 8/23/22		Last 4 digits of account number 2700	

2.3 Ericka and Joseph Vago		Describe the property that secures the claim: \$24,334,038.99 \$0.00 \$24,334,038.99	
Creditor's Name			
c/o Brian Procel			
Procel Law			
401 Wilshire Blvd., 12th			
Floor			
Santa Monica, CA 90401			
Number, Street, City, State & Zip Code			
Who owes the debt? Check one.		As of the date you file, the claim is: Check all that apply.	
<input checked="" type="checkbox"/> Debtor 1 only		<input type="checkbox"/> Contingent	
<input type="checkbox"/> Debtor 2 only		<input type="checkbox"/> Unliquidated	
<input type="checkbox"/> Debtor 1 and Debtor 2 only		<input checked="" type="checkbox"/> Disputed	
<input type="checkbox"/> At least one of the debtors and another		Nature of lien. Check all that apply.	
<input type="checkbox"/> Check if this claim relates to a community debt		<input type="checkbox"/> An agreement you made (such as mortgage or secured car loan)	
		<input type="checkbox"/> Statutory lien (such as tax lien, mechanic's lien)	
		<input checked="" type="checkbox"/> Judgment lien from a lawsuit	
		<input checked="" type="checkbox"/> Other (including a right to offset) Notice of Judgment Lien	
Date debt was incurred July 2020		Last 4 digits of account number 5050	

Debtor 1 Leslie Klein		Case number (if known) 2:23-bk-10990-SK	
First Name	Middle Name	Last Name	
2.4 Fay Servicing LLC		Describe the property that secures the claim: \$712,265.00 \$2,400,000.00 \$0.00	
Creditor's Name		3752 Ocean Drive Oxnard, CA 93035	
Attn: Bankruptcy Dept		Ventura County	
Po Box 809441		Single family home; vacation home.	
Chicago, IL 60680		As of the date you file, the claim is: Check all that apply.	
Number, Street, City, State & Zip Code		<input type="checkbox"/> Contingent	
		<input type="checkbox"/> Unliquidated	
		<input type="checkbox"/> Disputed	
Who owes the debt? Check one		Nature of lien. Check all that apply.	
<input checked="" type="checkbox"/> Debtor 1 only		<input type="checkbox"/> An agreement you made (such as mortgage or secured car loan)	
<input type="checkbox"/> Debtor 2 only		<input type="checkbox"/> Statutory lien (such as tax lien, mechanic's lien)	
<input type="checkbox"/> Debtor 1 and Debtor 2 only		<input type="checkbox"/> Judgment lien from a lawsuit	
<input type="checkbox"/> At least one of the debtors and another		<input checked="" type="checkbox"/> Other (including a right to offset) 1st Deed of Trust	
<input type="checkbox"/> Check if this claim relates to a community debt			
Opened 10/13/04			
Last Active 08/20			
Date debt was incurred 08/20		Last 4 digits of account number 9505	

2.5 Fay Servicing LLC		Describe the property that secures the claim: \$327,886.00 \$2,400,000.00 \$0.00	
Creditor's Name		3752 Ocean Drive Oxnard, CA 93035	
Attn: Bankruptcy Dept		Ventura County	
Po Box 809441		Single family home; vacation home.	
Chicago, IL 60680		As of the date you file, the claim is: Check all that apply.	
Number, Street, City, State & Zip Code		<input type="checkbox"/> Contingent	
		<input type="checkbox"/> Unliquidated	
		<input type="checkbox"/> Disputed	
Who owes the debt? Check one		Nature of lien. Check all that apply.	
<input checked="" type="checkbox"/> Debtor 1 only		<input type="checkbox"/> An agreement you made (such as mortgage or secured car loan)	
<input type="checkbox"/> Debtor 2 only		<input type="checkbox"/> Statutory lien (such as tax lien, mechanic's lien)	
<input type="checkbox"/> Debtor 1 and Debtor 2 only		<input type="checkbox"/> Judgment lien from a lawsuit	
<input type="checkbox"/> At least one of the debtors and another		<input checked="" type="checkbox"/> Other (including a right to offset) 2nd Deed of Trust	
<input type="checkbox"/> Check if this claim relates to a community debt			
Opened 11/04			
Last Active 8/09/22			
Date debt was incurred 8/09/22		Last 4 digits of account number 9492	

Debtor 1 **Leslie Klein** Case number (if known) **2:23-bk-10990-SK**

First Name Middle Name Last Name

2.6 Fiore Racobs & Powers

Creditor's Name

c/o Palm Springs
Country Club HOA
6820 Indiana Ave., Ste
140
6820 Indiana Ave., Ste
140
Riverside, CA 92506

Number, Street, City, State & Zip Code

Describe the property that secures the claim:

**2560-B Whitewater Club Drive Palm
Springs, CA 92262 Riverside
County
A condo with 2 bedrooms and 2
bathrooms; vacation home.**

As of the date you file, the claim is: Check all that
apply

☐ Contingent

☐ Unliquidated

☐ Disputed

Nature of lien. Check all that apply.

☐ An agreement you made (such as mortgage or secured
car loan)

☐ Statutory lien (such as tax lien, mechanic's lien)

☐ Judgment lien from a lawsuit

☒ Other (including a right to offset) **HOA Assessments**

Who owes the debt? Check one.

☐ Debtor 1 only

☐ Debtor 2 only

☐ Debtor 1 and Debtor 2 only

☒ At least one of the debtors and another

☐ Check if this claim relates to a
community debt

Date debt was incurred **2020 - 2023**

Last 4 digits of account number **4460**

\$49,436.57

\$350,000.00

\$0.00

**2.7 Gestetner Charitable
Remainder Trus**

Creditor's Name

c/o Andor Gestetner
1425 55th Street
Brooklyn, NY 11219

Number, Street, City, State & Zip Code

Describe the property that secures the claim:

**Debtor has a membership interest in
Life Capital Group, LLC, which is an
investment company. The LLC buys
insurance policies on other people's
lives and upon passing, the LLC
collects the funds and makes a
distribution to its members.
5% m**

As of the date you file, the claim is: Check all that
apply.

☐ Contingent

☐ Unliquidated

☐ Disputed

Nature of lien. Check all that apply.

☐ An agreement you made (such as mortgage or secured
car loan)

☐ Statutory lien (such as tax lien, mechanic's lien)

☐ Judgment lien from a lawsuit

☒ Other (including a right to offset) **UCC Financing**

Who owes the debt? Check one.

☒ Debtor 1 only

☐ Debtor 2 only

☐ Debtor 1 and Debtor 2 only

☐ At least one of the debtors and another

☐ Check if this claim relates to a
community debt

Date debt was incurred **5/14/2021**

Last 4 digits of account number **3629**

\$2,000,000.00

Unknown

Unknown

Debtor 1 **Leslie Klein**

First Name Middle Name Last Name

Case number (if known)

2:23-bk-10990-SK

2.8

**Los Angeles County Tax
Collector**

Creditor's Name

**Bankruptcy Unit
PO Box 54110
Los Angeles, CA
90054-0027**

Number, Street, City, State & Zip Code

Describe the property that secures the claim:

\$15,000.00

\$4,900,000.00

\$0.00

**322 N. June Street Los Angeles, CA
90004 Los Angeles County
Debtor's principal residence; paid in
full. The property is held in the
marital deduction trust. The
Debtor's current spouse, Barbara
Klein, has a life estate interest in the
res**

As of the date you file, the claim is: Check all that
apply.

☐ Contingent

☐ Unliquidated

☐ Disputed

Nature of lien. Check all that apply.

☐ An agreement you made (such as mortgage or secured
car loan)

☐ Statutory lien (such as tax lien, mechanic's lien)

☐ Judgment lien from a lawsuit

☒ Other (including a right to offset)

Property Taxes

Who owes the debt? Check one.

☒ Debtor 1 only

☐ Debtor 2 only

☐ Debtor 1 and Debtor 2 only

☐ At least one of the debtors and another

☐ Check if this claim relates to a
community debt

Date debt was incurred **2022 - 2023**

Last 4 digits of account number **3008**

2.9

Mrc/united Wholesale M

Creditor's Name

**Attn: Bankruptcy
P. O. Box 619098
Dallas, TX 75261**

Number, Street, City, State & Zip Code

Describe the property that secures the claim:

\$954,432.00

\$2,000,000.00

\$0.00

**161 N. Poinsettia Place Los
Angeles, CA 90036 Los Angeles
County
Single family residence; rental
property. Debtor collects \$3,000 per
month rental income.**

As of the date you file, the claim is: Check all that
apply.

☐ Contingent

☐ Unliquidated

☐ Disputed

Nature of lien. Check all that apply.

☐ An agreement you made (such as mortgage or secured
car loan)

☐ Statutory lien (such as tax lien, mechanic's lien)

☐ Judgment lien from a lawsuit

☒ Other (including a right to offset)

Deed of Trust

Who owes the debt? Check one.

☒ Debtor 1 only

☐ Debtor 2 only

☐ Debtor 1 and Debtor 2 only

☐ At least one of the debtors and another

☐ Check if this claim relates to a
community debt

**Opened
05/05 Last
Active**

Date debt was incurred **11/17/22**

Last 4 digits of account number **2120**

Debtor 1 **Leslie Klein**

First Name Middle Name Last Name

Case number (if known)

2:23-bk-10990-SK

2.1
0

Selene Finance

Creditor's Name

**Attn: Bankruptcy
Po Box 8619
Philadelphia, PA 19101**

Number, Street, City, State & Zip Code

Describe the property that secures the claim:

**315 N. Martel Avenue Los Angeles,
CA 90036 Los Angeles County
Single family residence; rental
property. Debtor collects
\$5,500/month.**

As of the date you file, the claim is: Check all that apply.

☐ Contingent

☐ Unliquidated

☐ Disputed

Nature of lien. Check all that apply.

☐ An agreement you made (such as mortgage or secured car loan)

☐ Statutory lien (such as tax lien, mechanic's lien)

☐ Judgment lien from a lawsuit

☒ Other (including a right to offset)

Deed of Trust

\$1,755,385.00

\$2,500,000.00

\$0.00

Who owes the debt? Check one.

☒ Debtor 1 only

☐ Debtor 2 only

☐ Debtor 1 and Debtor 2 only

☐ At least one of the debtors and another

☐ Check if this claim relates to a community debt

**Opened
08/18 Last
Active**

Date debt was incurred **6/22/21**

Last 4 digits of account number **8372**

2.1
1

**Shellpoint Mortgage
Servicing**

Creditor's Name

**Attn: Bankruptcy
Po Box 10826
Greenville, SC 29603**

Number, Street, City, State & Zip Code

Describe the property that secures the claim:

**143 S. Highland Drive Los Angeles,
CA 90036 Los Angeles County
Single family residence; rental
property. Debtor collects \$4,000 per
month in rental income.**

As of the date you file, the claim is: Check all that apply.

☐ Contingent

☐ Unliquidated

☐ Disputed

Nature of lien. Check all that apply.

☐ An agreement you made (such as mortgage or secured car loan)

☐ Statutory lien (such as tax lien, mechanic's lien)

☐ Judgment lien from a lawsuit

☒ Other (including a right to offset)

Deed of Trust

\$1,213,516.00

\$2,200,000.00

\$0.00

Who owes the debt? Check one.

☒ Debtor 1 only

☐ Debtor 2 only

☐ Debtor 1 and Debtor 2 only

☐ At least one of the debtors and another

☐ Check if this claim relates to a community debt

**Opened
04/19 Last
Active**

Date debt was incurred **12/27/22**

Last 4 digits of account number **4516**

Debtor 1 **Leslie Klein** Case number (if known) **2:23-bk-10990-SK**
First Name Middle Name Last Name

2.1 2	Toyota Financial Services <small>Creditor's Name</small> Attn: Bankruptcy Po Box 259001 Plano, TX 75025 <small>Number, Street, City, State & Zip Code</small>	Describe the property that secures the claim: <div style="border: 1px solid black; padding: 2px;">2021 Lexus LS500 n/a miles Leased vehicle. Monthly payment is \$1,319.00.</div> As of the date you file, the claim is: Check all that apply. <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed Nature of lien. Check all that apply. <input type="checkbox"/> An agreement you made (such as mortgage or secured car loan) <input type="checkbox"/> Statutory lien (such as tax lien, mechanic's lien) <input type="checkbox"/> Judgment lien from a lawsuit <input checked="" type="checkbox"/> Other (including a right to offset) <u>Auto Lease</u>	\$34,318.00 \$0.00 \$34,318.00
Who owes the debt? Check one. <input checked="" type="checkbox"/> Debtor 1 only <input type="checkbox"/> Debtor 2 only <input type="checkbox"/> Debtor 1 and Debtor 2 only <input type="checkbox"/> At least one of the debtors and another <input type="checkbox"/> Check if this claim relates to a community debt			
Opened 05/21 Last Active Date debt was incurred <u>3/18/22</u> Last 4 digits of account number <u>X788</u>			

2.1 3	Toyota Financial Services <small>Creditor's Name</small> Attn: Bankruptcy Po Box 259001 Plano, TX 75025 <small>Number, Street, City, State & Zip Code</small>	Describe the property that secures the claim: <div style="border: 1px solid black; padding: 2px;">2021 Lexus LS n/a miles Leased vehicle. Debtor's spouses drives this vehicle. Monthly payment is \$500.</div> As of the date you file, the claim is: Check all that apply. <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed Nature of lien. Check all that apply. <input type="checkbox"/> An agreement you made (such as mortgage or secured car loan) <input type="checkbox"/> Statutory lien (such as tax lien, mechanic's lien) <input type="checkbox"/> Judgment lien from a lawsuit <input checked="" type="checkbox"/> Other (including a right to offset) <u>Auto Lease</u>	\$10,488.00 \$0.00 \$10,488.00
Who owes the debt? Check one. <input checked="" type="checkbox"/> Debtor 1 only <input type="checkbox"/> Debtor 2 only <input type="checkbox"/> Debtor 1 and Debtor 2 only <input type="checkbox"/> At least one of the debtors and another <input type="checkbox"/> Check if this claim relates to a community debt			
Opened 06/21 Last Active Date debt was incurred <u>6/01/22</u> Last 4 digits of account number <u>Y582</u>			

Add the dollar value of your entries in Column A on this page. Write that number here:
If this is the last page of your form, add the dollar value totals from all pages.
Write that number here:

\$31,564,856.56
\$31,564,856.56

Part 2: List Others to Be Notified for a Debt That You Already Listed

Use this page only if you have others to be notified about your bankruptcy for a debt that you already listed in Part 1. For example, if a collection agency is trying to collect from you for a debt you owe to someone else, list the creditor in Part 1, and then list the collection agency here. Similarly, if you have more than one creditor for any of the debts that you listed in Part 1, list the additional creditors here. If you do not have additional persons to be notified for any debts in Part 1, do not fill out or submit this page.

Debtor 1 **Leslie Klein** Case number (if known) **2:23-bk-10990-SK**
First Name Middle Name Last Name

[] Name, Number, Street, City, State & Zip Code
Andor Gestetner
c/o Law Offices of Jacob Unger
5404 Whitsett Ave Ste. 182
Valley Village, CA 91607

On which line in Part 1 did you enter the creditor? 2.7

Last 4 digits of account number ____

[] Name, Number, Street, City, State & Zip Code
Ericka and Joseph Vago
124 N. Highland Ave
Sherman Oaks, CA 91423

On which line in Part 1 did you enter the creditor? 2.3

Last 4 digits of account number ____

EXHIBIT 2

Financial Arbitration & Din Torah

The RCC Beis Din has an established reputation for expertise in arbitrating financial disputes in accordance with Torah law. We adjudicate a wide range of commercial disputes such as employer-employee, landlord-tenant, real property, business interference, breach of contract, breach of fiduciary duty, and unfair competition disputes. We also hear family law cases involving inheritance and divorce matters. All cases are heard by a panel of three Dayanim (arbitration judges).

RCC judgments are recognized and binding in the civil courts as well. The RCC Beis Din has conducted hearings for cases ranging from several thousand dollars in value up to tens of millions of dollars. Our clientele includes individuals from a wide range of religious backgrounds as well as corporations who choose Beis Din arbitration over the costly and lengthy alternative of civil litigation.

DIN TORAH APPLICATION (\$10,000 + CLAIMS)

SMALL CLAIMS APPLICATION (\$100 – \$10,000)

Frequently Asked Questions

Do I need a Lawyer in a Beis Din hearing?



PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
9454 Wilshire Blvd., 6th FL., Beverly Hills, CA 90212

A true and correct copy of the foregoing document entitled (*specify*): **DEBTOR'S OPPOSITION TO LIFE CAPITAL, LLC'S MOTION FOR RELIEF FROM THE AUTOMATIC STAY (ACTION IN NON BANKRUPTCY FORUM); DECLARATION OF LESLIE KLEIN IN SUPPORT THEREOF** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) 5/3/2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (date) 5/3/2023, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) 5/3/2023, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Honorable Sandra Klein
United States Bankruptcy Court
Central District of California
Edward R. Roybal Federal Building and Courthouse
255 E. Temple Street, Suite 1582 / Courtroom 1575
Los Angeles, CA 90012

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

5/3/2023
Date

Peter Garza
Printed Name

/s/Peter Garza
Signature

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):

Goe Forsythe & Hodges: Reem J Bello rbello@goeforlaw.com, kmurphy@goeforlaw.com
Goe Forsythe & Hodges Robert P Goe kmurphy@goeforlaw.com, rgoe@goeforlaw.com; goeforecf@gmail.com
Interested Party: Alan G Tippie Alan.Tippie@gmlaw.com,
atippie@ccf.courtdrive.com; Karen.Files@gmlaw.com, patricia.dillamar@gmlaw.com, denise.walker@gmlaw.com
Debtor's Counsel: Michael Jay Berger michael.berger@bankruptcypower.com,
yathida.nipha@bankruptcypower.com; michael.berger@ecf.inforuptcy.com
Interested Party: Greg P Campbell chl1ecf@aldridgepite.com,
gc@ecf.inforuptcy.com; gcampbell@aldridgepite.com
Counsel for Wilmington Savings Fund: Theron S Covey tcovey@raslg.com, sferry@raslg.com
Interested Party: Dane W Exnowski dane.exnowski@mccalla.com,
bk.ca@mccalla.com, mccallaecf@ecf.courtdrive.com
U.S. Trustee: Michael Jones michael.jones4@usdoj.gov
U.S. Trustee: Ron Maroko ron.maroko@usdoj.gov
Counsel for Ajax Mortgage: Joshua L Scheer jscheer@scheerlawgroup.com, jscheer@ecf.courtdrive.com
Subchapter V Trustee: Mark M Sharf (TR) mark@sharfllaw.com, C188@ecfcbis.com; sharf1000@gmail.com
United States Trustee (LA) ustpreion16.la.ecf@usdoj.gov
Interested Party: Michael L Wachtell mwachtell@buchalter.com
U.S. Bank: John P. Ward jward@attleseystorm.com, ezhang@attleseystorm.com
Interested Party: Paul P Young paul@cym.law, jaclyn@cym.law
Counsel for First Amendment Wendrigger Family Trust dated May 7, 1990: Clarisse Young
youngshumaker@smcounsel.com, levern@smcounsel.com
Interested Party: Roye Zur rzur@elkinskalt.com,
cavila@elkinskalt.com; lwageman@elkinskalt.com; 1648609420@filings.docketbird.com

2. SERVED BY UNITED STATES MAIL:

U.S. Trustee
Attn: Ron Maroko, Esq.
915 Wilshire Blvd., Ste. 1850
Los Angeles, CA 90017

Subchapter V Trustee
Mark M. Sharf
6080 Center Drive #600
Los Angeles, CA 90045

SECURED CREDITORS:

CCO Mortgage Corp.
Attn: Bankruptcy
10561 Telegraph Rd
Glen Allen, VA 23059

Chase Mortgage
BK Department
Mail Code LA4 5555
700 Kansas Ln
Monroe, LA 71203

Fay Servicing Llc
Attn: Bankruptcy Dept
Po Box 809441
Chicago, IL 60680

Mrc/united Wholesale M
Attn: Bankruptcy
P. O. Box 619098
Dallas, TX 75261

Selene Finance
Attn: Bankruptcy
Po Box 8619
Philadelphia, PA 19101

Shellpoint Mortgage Servicing
Attn: Bankruptcy
Po Box 10826
Greenville, SC 29603

Toyota Financial Services
Attn: Bankruptcy
Po Box 259001
Plano, TX 75025

Toyota Motor Credit Corp.
PO Box 9013
Addison, TX 75001 (Address from POC)

Ericka and Joseph Vago
c/o Brian Procel
Procel Law
401 Wilshire Blvd., 12th Floor
Santa Monica, CA 90401 (Address from POC)

Ericka and Joseph Vago
124 N. Highland Ave
Sherman Oaks, CA 91423

Fay Servicing LLC
Attn: Bankruptcy Dept
Po Box 809441
Chicago, IL 60680

U.S. Bank
c/o Fay Servicing, LLC
PO Box 814609
Dallas, TX 75381

Fiore Racobs & Powers
c/o Palm Springs Country Club HOA

6820 Indiana Ave., Ste 140
Riverside, CA 92506

Gestetner Charitable Remainder Trus
c/o Andor Gestetner
1425 55th Street
Brooklyn, NY 11219

Los Angeles County Tax Collector
Bankruptcy Unit
PO Box 54110
Los Angeles, CA 90054-0027 (Address from POC)

Mrc/united Wholesale M
Attn: Bankruptcy
P. O. Box 619098
Dallas, TX 75261

Selene Finance
Attn: Bankruptcy
Po Box 8619
Philadelphia, PA 19101

Shellpoint Mortgage Servicing
Attn: Bankruptcy
Po Box 10826
Greenville, SC 29603

Toyota Financial Services
Attn: Bankruptcy
Po Box 259001
Plano, TX 75025

Wilmington Savings Fund Society
c/o Selene Finance LP
3501 Olympus Blvd., Ste. 500
Dallas, TX 75019 (Address from POC)

U.S. Bank Trust National Bank
c/o Fay Servicing LLC
PO Box 814609
Dallas, TX 75381 (Address from POC)

U.S. Bank N.A.
c/o Nationstar Mortgage LLC
Attn: Bankruptcy Dept.
PO Box 619096
Dallas, TX 75261 (Address from POC)

JP Morgan Mortgage Acquisition
c/o NewRez LLC dba Shellpoint Mortgage Servicing

PO Box 10826
Greenville, SC 29603 (Address from POC)

Ajax Mortgage Loan Trust
c/o Gregory Funding LLC
PO Box 230579
Tigard, OR 97281 (Address from POC)

20 LARGEST UNSECURED CREDITORS AND INTERESTED PARTIES:

Andor Gestetner
c/o Law Offices of Jacob Unger
5404 Whitsett Ave Ste. 182
Valley Village, CA 91607

Bank of America
Attn: Bankruptcy
4909 Savarese Circle
Tampa, FL 33634

Bank of America
PO Box 673033
Dallas, TX 75267 (Address from POC)

Barclays Bank Delaware
Attn: Bankruptcy
Po Box 8801
Wilmington, DE 19899

California Bank & Trust
Po Box 711510
Santee, CA 92072

CCO Mortgage Corp.
Attn: Bankruptcy
10561 Telegraph Rd
Glen Allen, VA 23059

Chase Card Services
Attn: Bankruptcy
P.O. 15298
Wilmington, DE 19850

Chase Card Services
Attn: Bankruptcy
Po Box 15298
Wilmington, DE 19850

Chase Doe
143 S. Highland Drive
Los Angeles, CA 90036

Chase Mortgage
BK Department
Mail Code LA4 5555
700 Kansas Ln
Monroe, LA 71203

Citibank
Attn: Bankruptcy
P.O. Box 790034
St Louis, MO 63179

Franklin H. Menlo Irrevocable Trust
c/o Willkie Farr & Gallagher LLP
Attn: Alex M. Weingarten, Esq.
2029 Century Park East, Suite 3400
Los Angeles, CA 90067

Robert & Esther Mermelstein
c/o Baruch C. Cohen, Esq.
4929 Wilshire Blvd., Ste 940
Los Angeles, CA 90010 (Address from POC)

Franklin Menlo, Trustee
c/o Paul P. Young & Chora Young & Manasserian
650 Sierra Madre Villa Ave. Ste. 304
Pasadena, CA 91107 (Address from POC)

Jacob Rummitz
315 N. Martel Avenue
Los Angeles, CA 90036

Jeffrey Siegel, Successor Trustee
of the Hubert Scott Trust
c/o Oldman, Cooley, Sallus
16133 Ventura Blvd., Penthouse Suit
Encino, CA 91436-2408

Leslie Klein & Associates, Inc.
c/o Parker Milliken
555 Flower Street
Los Angeles, CA 90071

Oldman, Cooley, and Sallus
16133 Ventura Blvd., Penthouse Suit
Encino, CA 91436-2408

Sandra Layton
161 N. Poinsettia Place
Los Angeles, CA 90036

First Amendment Wendrigger Faimly Trust Dated May
7, 1990
c/o Clarisse Young Shumaker, Esq.
280 S. Beverly Dr. Ste. 505
Beverly Hills, CA 90212

Jeffry Siegel, Successor Trsuttee
c/o Oldman, Cooley, Sallus
161133 Ventura Blvd., Penthouse Suite
Encino, CA 91436 (Address from POC)

Gestener Family Trust
Andor Gestetner
c/o Michael I. Gottfried
10345 W. Olympic Blvd.,
Los Angeles, CA 90064 (Address from POC)